

REMARKS

Introduction

In response to the final Office Action dated October 16, 2007, the pertinent limitations of claim 5, previously dependent upon claim 1, have been incorporated into claim 1, and claim 5 cancelled. The present Amendment does not generate any issue that would require substantive further consideration. In view of the foregoing amendments and the following remarks, Applicants respectfully submit that all pending claims are in condition for allowance.

Allowable Subject Matter

Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Interview Summary

Applicant appreciates the courtesy of Examiner Dickerson in granting a telephonic interview with the undersigned on November 27, 2007. During the interview, the allowability of claim 5 found on page 2 of the final Office Action was discussed. Discussed was Proposed Amended Claim 5, specifically replacing “horizontally” with --a first direction-- and “vertically” with --a second direction orthogonal to the first direction--, and whether amended dependent claim 5 includes allowable subject matter. The Examiner stated that the proposed after-final amendment changes the scope of claim 5 and would require further search and/or consideration.

Claim Objections

Claims 1-5 are objected to for an informality.

Applicants respectfully submit that the objection is moot in view of amendment of claim

1.

Claim Rejection Under 35 U.S.C. § 103

Claims 1-4 stand rejected under 35 U.S.C. § 103 (a) as being anticipated by U.S. Patent No. 4,977,832 (hereinafter Walter) in view of Pre-Grant Publication No. 2001/0020427 to Shiraishi. Amended claim 1 recites, in part, "...the control unit displays images of the plurality of key control switches corresponding to the collection of key control switches are arranged two dimensionally, the images of the plurality of key control switches corresponding to the same ink key area are arranged in a first direction, and the images of the plurality of key control switches corresponding to the ink keys feeding the same ink are arranged in a second direction orthogonal to the first direction on the touch sensitive control panel."

The Office Action asserts that Walter discloses a plurality of ink control keys, considered as key control switches for adjust the amount of ink to be placed on a respective zone that the key controls. The Office Action also asserts that Shiraishi discloses a plurality of ink keys installed in a row located axially to the plate cylinder and divided in a plurality of sections along the axial direction of the ink fountain roller.

Turning to the prior art, neither Walter nor Shiraishi discloses or suggests, at a minimum, individually or combined, "...the images of the plurality of key control switches corresponding to the same ink key area are arranged in a first direction, and the images of the plurality of key control switches corresponding to the ink keys feeding the same ink are arranged in a second

direction orthogonal to the first direction on the touch sensitive control panel,” as recited in amended claim 1.

Obviousness can be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge readily available to one of ordinary skill in the art. *In re Kotzab*, 217 F.3d 1365, 1370 55 USPQ2d 1313, 1317 (Fed. Cir. 2000); *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). There is no suggestion in Shiraishi to modify the direction of the images of the plurality of key control switches. The Examiner has not provided any evidence that there would be any obvious benefit in making the asserted modification of Walter. *See KSR Int'l Co. v. Teleflex, Inc.*, 127 S.Ct. 1727, 82 USPQ2d 1385 (2007).

The only teaching of the direction of the images of the plurality of key control switches is found in Applicants' disclosure. However, the teaching or suggestion to make a claimed combination and the reasonable expectation of success must not be based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Withdrawal of the foregoing rejection is respectfully requested.

Conclusion

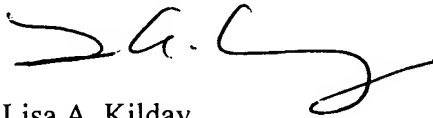
In view of the above amendments and remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

Application No.: 10/602,062

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Lisa A. Kilday
Registration No. 56,210

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 SAB/LAK
Facsimile: 202.756.8087
Date: January 16, 2008

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